



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2457 FAX (603) 271-7894



Chuck McLure
Profile Club
PO Box 200
Franconia, New Hampshire 03580

LETTER OF DEFICIENCY
WMB PBF 02-57
August 30, 2002

Dear Mr. McLure:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On August 22, 2002, DES inspected the pool at the Profile Club in Franconia, NH ("the Pool"). During this inspection the following deficiencies were noted:

A recommendation to super chlorinate the Pool was issued on August 26, 2002. The inspection on August 22, 2002 revealed that the Pool was in violation of Env-Ws 1103.14. The following bacterial violation was observed in the Pool water:


- (a) Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Pool water contained 1 CTS/100mL of total coliform bacteria.
 2. Pursuant to Env-Ws 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Pool at the time of the inspection.
- Pursuant to Env-Ws 1103.11, all outdoor swimming pools shall have a wall, fence or other enclosure constructed around the entire pool or recreational area, which shall include self-closing and self-latching gates and shall be a minimum of 4 feet high measured on the inside and outside. The enclosure surrounding the Pool does not include self-closing and latching gates.
4. Swimming pool hydraulic design and filter systems shall comply with Env-Ws 1105.01(k). The circulation and filtration system for the Pool does not comply with Env-Ws 1105.01(k) (2)-(7), (15), (17), or (19-d).

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

- 1 A copy of two weeks of water quality test results for all facilities (please do not send originals).
- 2 A plan of how the circulation system will be upgraded.
- 3 A timetable of when circulation system upgrade will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely
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Jody Connor
Limnology Center Director

cc: Mark Harbaugh, Enforcement Attorney, DES ✓
Amy Wilson, Public Bathing Facility Coordinator, DES
Philip A. Payette, Health Officer, Town of Franconia

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